

REMARKS

This paper is responsive to the Office Action mailed September 5, 2008. The Office Action required a restriction of claims between Group I: Claims 1-12, 14-17, and 19-31¹ and Group II: Claims 13 and 18. For purposes of submitting a complete response, applicant provisionally elects the claims of Group I (Claims 1-12, 14-17, and 19-31).

Applicant respectfully makes this election with traverse, and requests the Examiner to reconsider the basis for restriction. The Office Action (page 2, lines 3-9) alleged that the claims in Group I and the claims in Group II are related as process and apparatus for its practice. However, applicant respectfully points out that the claims of Group II (Claims 13 and 18) are method claims, just as claims in Group I (i.e., Claims 1 and 14) recite computer-implemented methods. It is unclear how the claims in Groups I and II are distinct on the basis of reciting a process and apparatus for its practice when both groups present method claims.

The Office Action (page 2, lines 12-13) suggested that "the method" (presumed to refer to the method of Claim 13) may be practiced by hand. To clarify that a computer performs the method or a user operating a computer performs the method, applicant has amended Claim 13 to recite "a computer-implemented method for facilitating trading of orders in a batch process."

To ensure complete coverage of the claimed subject matter, applicant has added new Claims 32-34. Claim 32 is a system claim written in means plus function format. The subject matter of Claim 32 falls within the scope of the claims of Group I, which are provisionally elected herewith. Claims 33 and 34 are dependent on Claim 32.

¹ The Office Action (page 2, line 4) identified Claims 1-12, 14-17, and 19-30 as pertaining to Group I. However, Claim 31 depends from Claim 30 and is assumed to belong to Group I as well.

CONCLUSION

In view of the foregoing amendments and arguments, applicant respectfully requests withdrawal of the restriction requirement and examination of Claim 1-34, which are pending in the application.

Respectfully submitted,

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